

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 17-cr-190-pp

TORONSE CARTER,

Defendant.

COMPETENCY ORDER

On June 4, 2019, the court conducted a competency hearing. After reviewing the indictment, the doctor's report of the competency evaluation, the transcript before Magistrate Judge Nancy Joseph, the government's motion, the defendant's objections and hearing testimony,

The court **FINDS**, by a preponderance of the evidence, that defendant Toronse Carter presently suffers from a mental defect that renders him mentally incompetent to the extent that he may not be able to understand the nature and consequences of the proceedings against him and/or is unable to assist properly in his defense.

The court **ORDERS** that defendant Toronse Carter is **COMMITTED** to the custody of the Attorney General, to be hospitalized for treatment in a suitable facility for a reasonable period of time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the

foreseeable future he will attain the capacity to permit the proceedings to go forward.

The court **ORDERS** that if, prior to or by the end of the period specified above, the director of the facility in which the defendant is hospitalized determines that the defendant has recovered to such an extent that he is able to understand the nature and consequences of the proceedings against him and to assist properly in his defense, the director promptly shall file a certificate to that effect with the Clerk of Court for the Eastern District of Wisconsin. The clerk shall send a copy of the certificate to the defendant's counsel and to the attorney for the government. Upon receipt of that certificate, the court will hold a hearing as required under 18 U.S.C. §4241(e).

The court **ORDERS** that if, by the end of the period specified above, the director determines that the defendant's mental condition has not so improved as to permit the proceedings to go forward, the director shall notify this court, so that it may conduct a hearing to make a finding regarding whether additional commitment is required under 18 U.S.C. §4241(d)(2).

Dated in Milwaukee, Wisconsin this 4th day of June, 2019.

BY THE COURT:



HON. PAMELA PEPPER
United States District Judge